IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 28TH JUNE 2007 / 7TH ASHADHA 1929

WP(C).No. 18441 of 2007(U)

PETITIONER:

V.K.JOY, S/O.V.M.KOCHAPPAN, MANAGING PARTNER, PRINCE ELECTRICALS, TRISSUR.

BY ADV. SRI.ABRAHAM MATHEW (VETTOOR)

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE SECRETARY TO GOVERNMENT, COMMERCIAL TAXES, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DEPUTY COMMISSIONER, COMMERCIAL TAXES, THRISSUR.

3. THE ADDL.SALES TAX OFFICER, FIRST CIRCLE, THRISSUR.

4. THE TAHSILDAR (R R), THRISSUR.

5. THE VILLAGE OFFICER, OLLUR, THRISSUR DISTRICT.

BY G.P. SRI.C.K.GOVINDAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

P1: TRUE COPY OF THE ORDER OF ASSESSMENT IN RESPECT OF THE YEAR 1995-96 PASSED BY R3 DT.18.8.2004.

P2: .DO.1996-97 .DO. DT.26.10.2004.

P3: .DO.1997-98 .DO.

P4: TRUE COPY OF ORDER PASSED BY R4 TO THE PETITIONER DT.17.2.2007.

P5: TRUE COPY OF THE INTERIM ORDER IN WPC NO.8183/2007 BEFORE THIS HON'BLE COURT DT.16.3.2007.

P6: TRUE COPY OF JUDGMENT IN WPC NO.8183/2007 BEFORE THIS HON'BLE COURT DT.9.4.2007.

P7: TRUE COPY OF ORDER PASSED IN RESPECT OF THE YEAR 1995-96 DT.7.4.2007.

P8: TRUE COPY OF ORDER PASSED BY R2 .DO. 1996-97 .DO.

P9: TRUE COPY OF ORDER PASSED BY R2 IN RESPECT OF THE YEAR 1997-98 DT.7.4.2007.

P10: TRUE COPY OF RECEIPT BEARING NO.7 OF BOOK NO.370 PASSED BY R4 DT.30.4.2007.

P11: .DO. NO.8 .DO.

P12: .DO. NO.83 OF BOOK NO.369 PASSED BY R4 DT.21.4.2007.

P13: TRUE COPY OF SALE NOTICE PASSED BY R4 TO PETITIONER DT.16.6.2007.

TRUE COPY

P.A. TO JUDGE

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.18441 of 2007

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Dated this the 28th day of June, 2007.

JUDGMENT

Since counsel for the petitioner submitted that petitioner has deposited 50% of arrears of tax in terms of Exts.P7, P8 and P9 stay orders and has furnished bond with personal sureties for the balance tax, there will be direction to the appellate authority to hear the petitioner and dispose of the appeals filed against sales tax assessments for 1995-96, 1996-97 and 1997-98 within three months from the date of production of copy of this judgment. The petitioner will produce copy of this judgment for compliance. If payment is made as stated above, recovery of the balance will remain stayed till disposal of appeals.

W.P. is disposed of as above.

C.N.RAMACHANDRAN NAIR
Judge

pms